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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/606,617 06/29/00 BRUENING

G USW#-1750

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QWEST COMMUNICATIONS INTERNATIONAL INC
LAW DEPT INTELLECTUAL PROPERTY GROUP
1801 CALIFORNIA STREET, SUITE 3800
DENVER CO 80202

EXAMINER

BUI, B

ART UNIT

PAPER NUMBER

2642

DATE MAILED:

08/15/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/606,617

Applicant(s)
Bruening

Examiner
Bing Bui

Art Unit
2642



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jun 29, 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other: _____

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DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

How can audible identification recording to be sent "*via* the audible identification".

Claim Objections

2. Claim 4 is objected to because of the following informalities: in line 5, [g] should be deleted and replaced with -- g) --. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-7 and 13-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over McMullin (US Pat No. 5,809,128) in view of Serbetcioglu et al (US Pat No. 5,511,111).

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Regarding claim 1, McMullin teaches the invention substantially as claimed, a method for identifying a caller including the steps of:

- a) attempting a call to a subscriber line connected to a computer network (Figs 1-2 and col 6, ln 5-63);
- b) determining that the subscriber line is connected to the computer network (Figs 1-2 and col 6, ln 5-63);
- c) in response to said step b), prompting the caller to provide identification (col 7, ln 37-42);

McMullin further teaches the step of receiving caller identification in form of touch tone input via the computer network and the subscriber line (col 7, ln 43-49) which differs from claimed invention in that the caller identification in form of audible identification.

However, Serbetcioglu et al teach the step of receiving audible identification from a caller and delivering such caller audible identification to the subscriber who are involving in an on-going communication (col 5, ln 62-col 6, ln 10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to integrate the method of receiving caller identification in form of audio message as taught by Serbetcioglu et al into communication system of McMullin to enable the communication users to interact to each other faster and more friendly.

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Regarding claims 2-3, McMullin teaches the invention substantially as claimed, with the exception of providing the step of recording the audible identification and sending the recording the audible identification via the subscriber line.

However, Serbetcioglu et al teach the step of receiving, recording and playing the audible identification from a caller to the called subscriber (col 5, ln 62-col 6, ln 10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to integrate the step of receiving, recording and playing the audible identification from a caller to the called subscriber as taught by Serbetcioglu et al into communication system of McMullin to enable the communication users to interact to each other faster and more friendly.

Regarding claim 4, McMullin teaches the invention substantially as claimed, a method for identifying a caller further including the steps of:

f) before said step c), determining whether calling party information is present in response to said step b) (Fig 3; col 6, ln 64-col 7, ln 3 and col 7, ln 36-42);

g) determining that the calling party information is not present; and h) performing said step c) in response to said step g) (Fig 3; col 6, ln 64-col 7, ln 3 and col 7, ln 36-42).

Regarding claim 5, McMullin teaches the invention substantially as claimed, a method for identifying a caller further including the steps of:

I) Detecting a trigger at the subscriber line in said step a) (Figs 1-2 and col 6, ln 5-63);

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j) performing said step f) in response to said step I) (Fig 3; col 6, ln 64-col 7, ln 3 and col 7, ln 36-42).

Regarding claim 6, McMullin teaches the invention substantially as claimed, a method for identifying a caller further including the steps of directing the call to an IVRS (intelligent peripheral) based upon said step g) (col 11, ln 9-27).

Regarding claim 7, McMullin teaches the invention substantially as claimed, a method for identifying a caller further including the steps of displaying a plurality of disposition options for call via the subscriber line (col 10, ln 40-51).

As to claims 13-18, they are rejected for the same reasons set forth to rejecting claims 1-3 above, since claims 13-18 are merely a system for implementing the method defined in the method claims 1-3.

As to claims 19-21, they are rejected for the same reasons set forth to rejecting claim 1.

5. Claims 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nabkel et al (US Pat No. 5,999,613) in view of Serbetcioglu et al '111.

Regarding claim 8, Nabkel et al teach the invention substantially as claimed, a communication network comprising:

a service switching point (SSP) associated with a subscriber line and generating a query in response to an attempted call to the subscriber line (Fig 3; col 3, ln 60-col 4, ln 58);

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a service control point (SCP) receiving the query from the SSP and, in response to the query (Fig 3; col 3, ln 60-col 4, ln 58).

Nabkel et al further teach the system in which a programmable network computer requesting caller identification in form of touch tone input via the computer network which differs from claimed invention in that the requested caller identification in form of audible identification.

However, Serbetcioglu et al teach a system for requesting audible identification from a caller and delivering such caller audible identification to the subscriber who are involving in an on-going communication (col 5, ln 62-col 6, ln 10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to integrate the method of receiving caller identification in form of audio message as taught by Serbetcioglu et al into communication system of Nabkel et al to enable the communication users to interact to each other faster and more friendly.

Regarding claims 9 and 11-12, Nabkel et al teach the invention substantially as claimed, with the exception of providing a system for requesting , recording and sending the audible identification from a caller.

However, Serbetcioglu et al teach the step of receiving, recording and sending the audible identification from a caller to the called subscriber who are involving in an on-going communication (col 5, ln 62-col 6, ln 10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to integrate a system for requesting, recording and sending the audible

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identification from a caller to the called subscriber as taught by Serbetcioglu et al into communication system of Nabkel et al to enable the communication users to interact to each other faster and more friendly.

Regarding claim 10, Nabkel et al further teach the invention substantially as claimed, a communication network wherein the computer is an online call alert (OCA) server communicating with the SCP, the OCA including information associating the subscriber line with an address on the computer network, the network computer send the audible information to the address associated with the subscriber line (Fig 3; col 3, ln 60-col 4, ln 58).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (703) 308-5858. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314 and for formal communications intended for entry (please label the response "EXPEDITED PROCEDURE") or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

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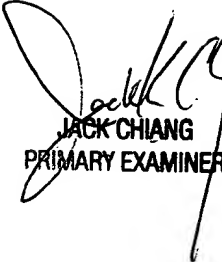
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Bing Bui

Patent Examiner

Aug 11, 2001



JACK CHIANG
PRIMARY EXAMINER